

2859

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/564,332
		Filing Date	Jan. 11, 2006
		First Named Inventor	Toshiaki KAWANISHI
		Art Unit	2859
		Examiner Name	Gail Kaplan Verbitsky
Total Number of Pages in This Submission		Attorney Docket Number	1217-053932

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
 - Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Documents
- Response to Missing Parts/
Incomplete Application
- Response to Missing Parts
under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a
Provisional Application
- Power of Attorney, Revocation
Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance communication
to Technology Center (TC)
- Appeal Communication to Board
of Appeals and Interferences
- Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please
identify below)

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Kent E. Baldauf The Webb Law Firm
Signature	
Date	July 19, 2006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Diane Paull		
Signature		Date	07-19-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/564,332
IDS dated July 19, 2006
Attorney Docket No. 1217-053932



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/564,332 Confirmation No. 9010
Applicants : Toshiaki KAWANISHI et al.
Filed : January 11, 2006
Title : Type Identification System for Diesel Oil and Method for Identifying Type of Diesel Oil
Art Unit : 2859
Examiner : Gail Kaplan Verbitsky
Customer No. : 28289

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTED BEFORE MAILING OF FIRST OFFICE ACTION**

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement together with a completed Form PTO/SB/08A.

Reference No. JP 11-153561 is cited on pages 5-6 of the instant specification and is relevant for the reasons discussed therein.

This application is the United States national phase of PCT Application No. PCT/JP2004/009851. The International Search Report dated November 9, 2004, for the underlying PCT application identified the remaining references listed on Form PTO/SB/08A. The Japanese reference JP 11-153561 cited in the instant application is also cited in the International Search Report.

JP 5-62698 corresponds to Japanese Patent No. JP 61-243352.

WO 01/44761 is equivalent to United States Patent No. 6,681,624.

JP 2004-125465 corresponds to EP 1 548 432.

JP 2004-101385 corresponds to EP 1 538 438.

The corresponding references are cited on the attached Form PTO/SB/08a and copies are being submitted with this Information Disclosure Statement. Pursuant to 37 CFR

{W0269452.1}

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on July 19, 2006	
_____ Diane Paull (Name of Person Mailing Document)	
_____ Signature Diane Paull	_____ 07/19/2006 Date

Appl. No. 10/564,332
IDS dated July 19, 2006
Attorney Docket No. 1217-053932

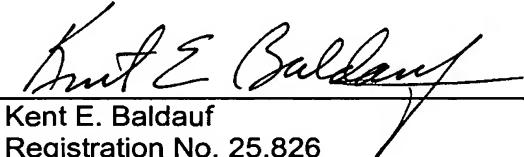
§1.98, a copy of the United States patent is not provided herewith. The degree of relevance for the non-English language references listed on Form PTO/SB/08A is indicated in the International Search Report. A copy of the International Search Report is enclosed for the Examiner's convenience.

No fee is believed to be due for the filing of this Information Disclosure Statement as it is being submitted before a first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. This Information Disclosure Statement is submitted in duplicate.

Respectfully submitted,

THE WEBB LAW FIRM

By



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JUL 24 2006

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary.)

Sheet

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of

1

Complete if Known

Complete & Known	
Application Number	10/564,332
Filing Date	Jan. 11, 2006
First Named Inventor	Toshiaki Kawanishi
Art Unit	2859
Examiner Name	Gail Kaplan Verbitsky
Attorney Docket Number	1217-053932

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
		JP(1999)	11-118566	A	04-30-1999	Mitsui Mining & Smelting	English Abstract attached
		JP(1999)	11-153561	A	06-08-1999	Mitsui Mining & Smelting	Partial translation attached
		JP(1986)	61-243352	A	10-29-1986	Mazda Motor	English Abstract attached
		JP(1991)	3-262949	A	11-22-1991	Matsushita Electric Ind	English Abstract attached
		WO	01/44761	A1	06-21-2001	Mitsui Mining & Smelting	Equiv. to US 6,681,624
		JP(2004)	2004-125465	A	04-22-2004	Mitsui Mining & Smelting	Equiv. to EP 1,548,432
		EP	1 548 432	A1	06-29-2005	Mitsui Mining & Smelting	
		JP(2004)	2004-101385	A	04-02-2004	Mitsui Mining & Smelting	Equiv. to EP 1,538,438
		EP	1 538 438	A1	06-08-2005	Mitsui Mining & Smelting	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document with appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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